IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2125 of 2001

For Approval and Signature:

Hon'ble MR.JUSTICE KUNDAN SINGH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

MADHUBEN R PATEL

Versus

REGIONAL PASSPORT OFFICER

Appearance:

MR CB DASTOOR for Petitioner

MR ANANT S DAVE, Addl. Central Govt. Standing Counsel for Respondents.

CORAM : MR.JUSTICE KUNDAN SINGH

Date of decision: 28/03/2001

ORAL JUDGEMENT

Rule. Mr. Anant S. Dave Addl. Central Govt. Standing Counsel appears on behalf of the respondents and waives service of rule on behalf of the respondents.

2. This petition has been filed for a direction to

the respondents authorities to correct the date of birth of the petitioner as 1-6-1951 mentioned in the Births and Deaths Register instead of 1-6-1953, in the passport. The petitioner has already moved an application before the authority concerned for correction of the birth date mentioned as 1-6-1953 in the passport. But the respondent authority has not entertained the application of the petitioner as it has no power or authority to make such correction in the birth date of the petitioner unless and until some order is passed by the Court of Law.

3. In the facts and circumstances of this case, this application is required to be allowed and the respondent authority concerned is directed to entertain, consider and decide the application dated 24-3-2001 filed by the petitioner in accordance with law and make correction with regard to the date of birth of the petitioner as 1-6-1951 in place of 1-6-1953 mentioned in the passport, within four weeks from the date of receipt of writ of this Court or certified copy of this order whichever is earlier. The respondent authority will be at liberty to pass appropriate order with regard to the costs of these proceedings.

4. With the above directions and observations, this petition is disposed of. Rule is made absolute.

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/JVSatwara/